

**UNITED STATES DISTRICT COURT**

for

**NORTHERN DISTRICT OF CALIFORNIA**

Oakland Venue

**FILED**

**JUL 20 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

---

**Report on Offender Under Supervision**

---

Name of Offender: Mark D. Pirtle Docket No.: CR 07-00417-01DLJ

Name of Sentencing Judge: Harold L. Ryan  
United States District Judge  
District of Idaho

Date of Original Sentence: July 9, 1992  
Amended Sentence: May 12, 1994

**Original Offense:**

Count One: Conspiracy to Manufacture Methamphetamine, 21 U.S.C. § 846, 841(a)(1), a Class A felony

Count Nine: Use of a Firearm during a Drug Transaction, 18 U.S.C. § 924(c)(1), a Class D felony

Original Sentence: 248 months custody, 5 years supervised release.

Amended Sentence: 211 months custody, 5 years supervised release.

Special Conditions: Fine \$13,875.00; drug treatment; search.

On June 27, 2007, the Northern District of California accepted transfer of jurisdiction from the District of Idaho.

Type of Supervision: Supervised Release Date Supervision Commenced: January 24, 2007  
Assistant U.S. Attorney: George Bevan (Duty) Defense Counsel: Unassigned (AFPD)

---

CC TO PROBATION FB

Mark Pirtle  
CR 07-00417-01 DLJ

Page 2

**Petitioning the Court to Take Judicial Notice**

**Cause**

<u>Charge Number</u>	<u>Violation</u>
One	<p>There is probable cause to believe that the offender violated standard condition number one that the defendant shall not leave the judicial district without prior permission from the probation officer.</p> <p>On June 3, 2007, the offender was arrested in Rocklin, California by the Placer County Sheriff's Department for charges of domestic violence. Rocklin, California is in the Eastern District of California. Mr. Pirtle did not receive authorization from the United States Probation Office to travel outside of the Northern District of California.</p> <p>Evidence to support this charge is contained in Placer County Sheriff's Department report number 07-7704.</p>
Two	<p>There is probable cause to believe that the offender violated standard condition number eleven that the defendant shall notify the probation officer within seventy two hours of being arrested or questioned by law enforcement.</p> <p>On June 3, 2007, the offender was arrested in Rocklin, California by the Placer County Sheriff's Department for charges of domestic violence. Mr. Pirtle did not call and report the arrest within seventy two hours to this probation officer.</p> <p>Evidence to support this charge is contained in Placer County Sheriff's Department report number 07-7704 and United States Probation chronological record reports dated June 3 through June 8, 2007.</p>

Mark Pirtle  
CR 07-00417-01 DLJ

Page 3

Three

There is probable cause to believe that the offender violated the standard condition that while on supervised release, the defendant shall not commit another federal, state, or local crime.

On June 3, 2007, the offender was arrested by the Placer County Sheriff's Department on charges of domestic violence. On that date, at approximately 2:58 in the morning, the Placer County Sheriff responded to the Thunder Valley Casino. The Sheriff Deputy was responding to a call of domestic violence. When the deputy arrived, the victim, Mr. Pirtle's ex-wife, reported that she had gone to the casino with Mr. Pirtle and lost \$200 of his money. When the victim told Mr. Pirtle about the loss of his money, he slapped her across the right cheek. The victim then retaliated and punched Mr. Pirtle in the face. The two then left the casino and continued the fight in the parking lot. Mr. Pirtle grabbed the victim by the neck and the two fell to the ground. The victim continued to kick and scratch Mr. Pirtle until casino security arrived. The Placer County Sheriff's Deputy determined that although the victim was under the recent influence of methamphetamine, Mr. Pirtle was arrested and charged with violations of California Penal Code §243(e)(1) Domestic Violence. According to the Placer County District Attorney's Office, they have declined to pursue criminal charges.

Evidence to support this charge is contained in Placer County Sheriff's Department report number 07-7704.

#### **Action Taken and Reason**

Mark Pirtle has completed six months of supervised release. He has been in the Northern District of California for only two of those months after a transfer of supervision from the Eastern District of California. It was only a week after the initial meeting with me that the offender committed the above listed violations. On June 8, 2007, I confronted the offender at his job about the arrest. Initially, the offender reported that he was unaware that he could not travel back to the Eastern District of California. After several minutes of consideration, the offender admitted that he used poor judgement and should have requested authorization to travel. Mr. Pirtle reported that the arrest report was accurate with several omissions. The offender reported that his ex wife was under the influence of methamphetamine at the time of the fight. He reported further that he has become frustrated over her usage and confronted her. As a result the two fought and the police were called. According to the Placer County District Attorney's Office, no charges were filed due to a lack of evidence.

Mark Pirtle  
CR 07-00417-01 DLJ

Page 4

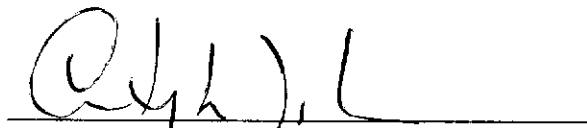
Mark Pirtle is living in San Rafael, California. He is currently employed at Eagle Riders Motorcycles Shop in San Francisco. The offender is currently attending weekly counseling sessions to address substance abuse, relapse prevention, and anxiety. The offender has been attending sessions weekly for the last two months. Mr. Pirtle is also being randomly tested for substance abuse. There have been no positive results to this date. As a result of the listed violations, I have verbally reprimanded the offender and processed with him his poor decision making. Further, the offender has processed the actions and decisions with his counselor at Center Point Substance Abuse Treatment in Marin County. It is respectfully recommended that the Court take judicial notice of the above listed violations of supervised release and allow the United States Probation Office to continue to monitor the case.

Assistant U.S. Attorney George Bevan has been notified and there are no objections.

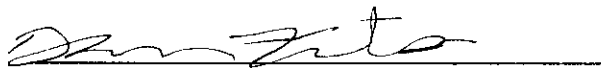
Address of offender: 329 North San Pedro Road  
San Rafael, CA 94903

Respectfully submitted,

Reviewed by:



Cristopher Taylor  
U.S. Probation Officer



Daniel Zurita  
Supervisory U.S. Probation Officer

Date Signed: July 17, 2007

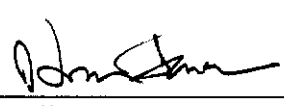
---

---

THE COURT ORDERS:

- ☒ The Court concurs and takes judicial notice
- ☐ Submit a request to modify supervision
- ☐ Submit a request for warrant
- ☐ Submit a request for summons
- ☐ Other:

7-20-07  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
D. Lowell Jensen  
United States District Judge